REMARKS

Entry of the present amendment is respectfully requested. Claims 1, 29, and 58 are amended. The pending claims are 1-72.

Applicant thanks the Examiner for indication of allowable subject matter. Specifically, the Examiner objected to claims 2-28, 30-57 and 59-72 for depending from rejected claims. Claims 1, 29 and 58 have been amended as suggested by the Examiner.

The drawings were objected to for informalities. Replacement drawings are hereby submitted for consideration by the Examiner.

The Examiner objected to the title as not being descriptive. Applicants believe the title is descriptive of the invention. However, if the Examiner believes that the title suggested in the Office Action is preferable, the Examiner may amend the title in an Examiner's amendment. (See MPEP 606.01, "If a satisfactory title is not supplied by the applicant, the examiner may, at the time of allowance, change the title by examiner's amendment").

The Examiner noted a typographical error in the specification. The specification has been amended to correct the typographical error indicated by the Examiner.

The Examiner requests information regarding a reference cited in an Information Disclosure Statement filed September 6, 2001. The reference (entitled "Using XML in the MASP Client-Server Protocol") submitted in an Information Disclosure Statement was dated February 20, 2001 whereas the reference as listed on PTO-1449 was dated February 12, 2001. This appears to be a typographical error on the PTO-1449. The Examiner is requested to correct the date to February 20, 2001.

The Examiner indicates that the provisional application (USSN 60/188,992) from which the present application claims benefit contains the same article with a print date of January 10, 2000. It is noted that the reference dated January 10, 2000 contains a file location reference (i.e., file:///Il/papers/2000.www9.protocol/protocol) rather than a website address, thus suggesting that the reference had not yet been published by January 10, 2000. The February 20, 2001 date on the reference cited in the Information Disclosure Statement refers to the date the article was downloaded from the Internet. The reference was prepared for presentation at the WWW9 poster session in May 2000. Therefore, the "publication date" (i.e., the date which the reference was presented), which is also the date the reference was "submitted for review," is May 2000. In any event, the reference is authored by the same inventive entity as the present invention and is dated less than one year prior to the priority date of the present invention (one year prior to March 13, 2000 is March 13, 1999). Therefore, even assuming the article describes the present invention, it does not qualify as prior art.

The Examiner cites an e-mail dated May 2, 2000 by Mark Jones stating that an XML-based protocol that was "created ... about two years ago" was to be presented at "WWW9 in a couple of weeks." The priority date for the instant application is March 13, 2000 as stated above. March 13, 2000 is approximately 2 months earlier than May 2, 2000. Therefore, even assuming that the e-mail describes the present invention, the e-mail and the WWW9 poster session do not qualify as prior art.

The Examiner further states that the e-mail indicates that the protocol was "created ... about two years ago". The Examiner therefore assigns the prior art date at May 2, 1998 (2 years prior to May 2, 2000). Upon seasonable inquiry and investigation,

the undersigned has determined that initiation of development of the invention began in approximately 1998 and was eventually used in confidential internal-to-AT&T research projects by the end of 1999. At no time prior to May 2000 was the invention disclosed to the public, in public use, or offered for sale.

The Examiner further states that the e-mail indicates that MASP had "already been used by 'other users' for a variety of applications" and concludes that other users must have been using the present invention prior to May 2, 2000. The phrase in the e-mail reads as follows: "Other users have used other off-the-shelf XML parsers for MASP client libraries and applications in java and Perl." Thus, the e-mail merely indicates that the "other users" the Examiner refers to in the Office Action have used *other* off-the-shelf XML parsers". Even assuming that the protocol to be presented that is referred to in the e-mail is the same as the disclosure in the instant application, the "other users" are clearly indicated as using "other" XML parsers and not the protocol to be presented in May 2000. Moreover, the "other users" refers to other employees of the assignee and to their internal, confidential use; not in public use.

The Examiner has requested from Applicants the date that the Jones/Hansen reference was submitted for review. It is pointed out that the date an article is first submitted for review is irrelevant because an article is not available to the public until publication. Applicants have fulfilled their duty of candor to the Patent Office by submission of the reference. However, in response to the Examiner's request, upon seasonable inquiry and investigation, the undersigned has determined that the Jones/Hansen reference was prepared for the WWW9 poster session in May 2000 as

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stated above. Therefore, the date the reference was "submitted for review" would be May 2000.

The Examiner has requested from Applicants the date that the Jones/Hansen reference was first published. As stated above, the reference was first presented in the May 2000 poster session. Therefore, the date the reference was "first published" would be May 2000.

The Examiner has requested from Applicants any dates of any public disclosure of the invention prior to March 13, 2000. Applicants point out that March 13, 2000 is the priority date of the instant application. Therefore, only public disclosures by the inventors prior to March 13, 1999 are relevant. Upon seasonal inquiry and investigation, the undersigned has determined that there is no evidence in the record that there were any public disclosures of the present invention prior to March 13, 1999. To the contrary, there were no public disclosures of the invention prior to the WWW9 poster session in May 2000.

The Examiner requested from Applicants the identity of "other users" cited in the e-mail. As set forth above, the "other users" were using "other" parsers. Alternatively, the "other users" may be other employees of the assignee using the invention in confidence and that the present invention was not disclosed to the public, not in public use, and not offered for sale prior to May 2000.

The Examiner requested from Applicants information on any potential commercial advantage of "enterprise messaging applications" to the assignee. Applicants are not presently aware of any such commercial advantage.

The Examiner requested from Applicants information on any public disclosures of preliminary versions of the XML protocol (presumably prior to March 13, 1999). Applicants are unaware of any such public disclosure.

Claims 1, 29, and 58 were rejected under 35 U.S.C. 102(e) as being anticipated by Dodrill (U.S. Patent No. 6,490,564). Claims 1, 29 and 58 have been amended as suggested by the Examiner. Therefore, the rejection should be withdrawn.

Claims 2-28, 30-57, and 59-72 were objected to as being dependent upon a rejected base claim. This objection is respectfully traversed.
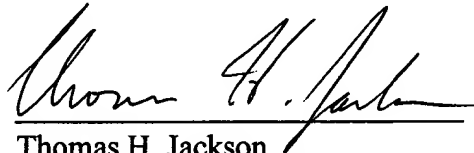
Claims 1, 29 and 58 were rejected under 35 U.S.C. 102(e) as being anticipated by Dodrill. Even assuming *arguendo* that Dodrill discloses each and every recited aspect of claims 1, 29, and 58 as the Office Action contends, the Office Action has nevertheless failed to demonstrate that Dodrill teaches or suggests the features recited in claims 2-28, 30-57 and 59-72, which depend from claims 1, 29 and 58, respectively. The Office Action fails to address the features recited in claims 2-28, 30-57 and 59-72 at all. Therefore, the objection to claims 2-28, 30-57 and 59-72 is improper and should be withdrawn.

However, solely to expedite prosecution of the claims, Applicants have amended the independent claims as suggested by the Examiner. Specifically, claims 1, 29 and 58 have been amended to recite, "the protocol layer and application data having an XML-based structure".

Applicants respectfully submit that the instant application is in condition for allowance. If the Examiner feels, however, that further amendment and/or discussion

may be helpful in facilitating prosecution of the case, the Examiner is respectfully

requested to telephone the undersigned attorney of record at the number appearing below.

Respectfully submitted,

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1001 G Street, N.W.
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Date: December 2, 2004
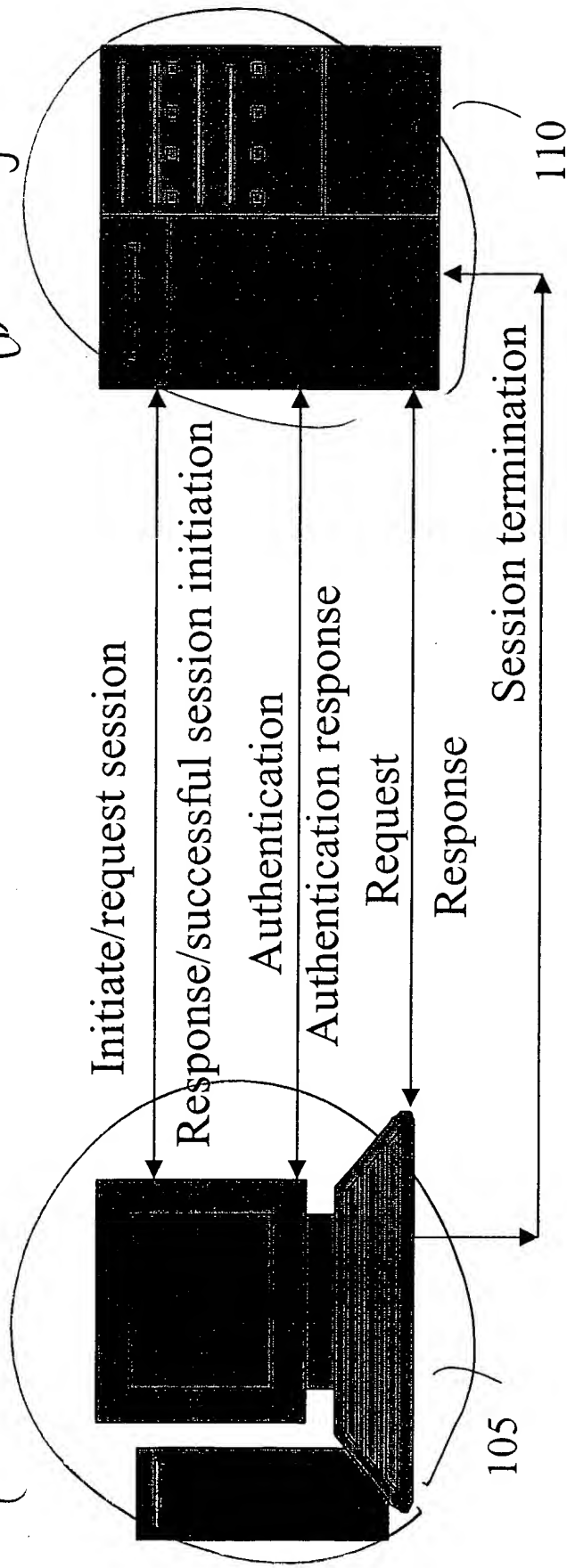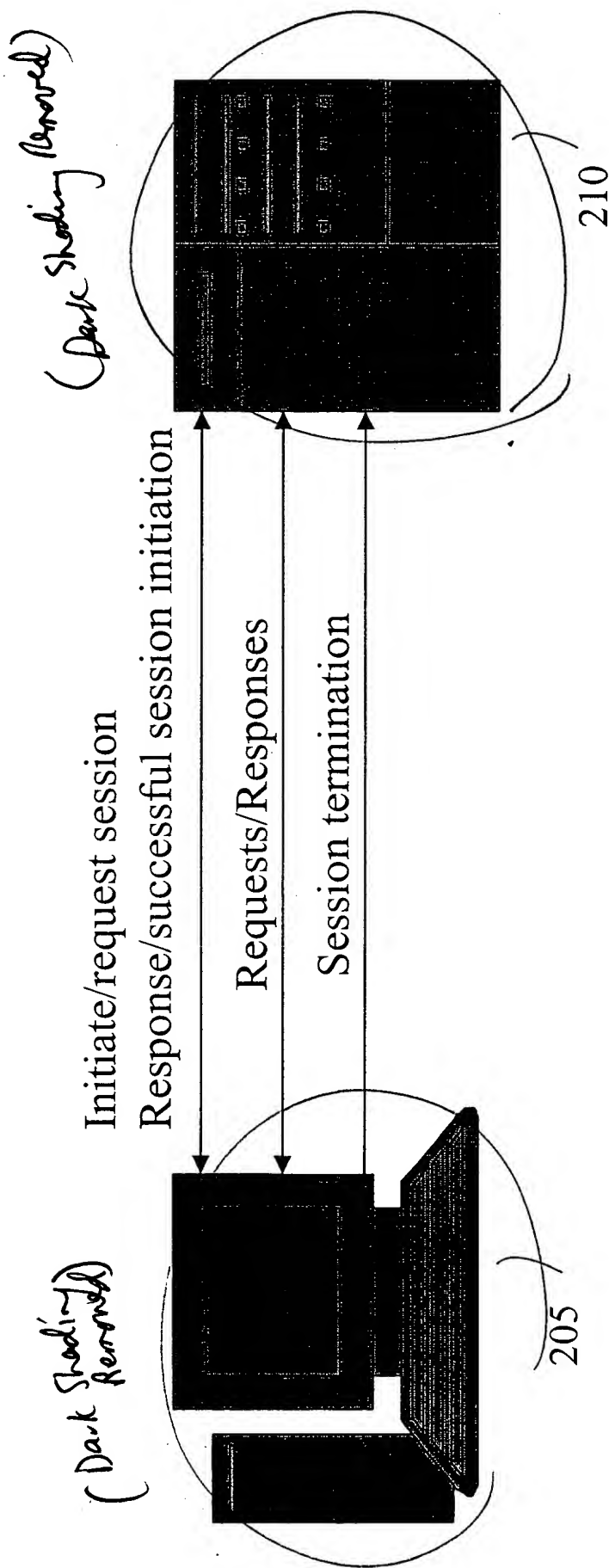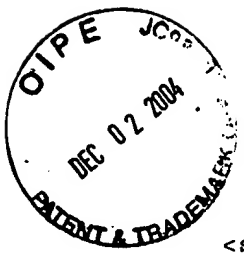
(Dark Shading Removed)

(Dark Shading Removed)

110

(Dark Shading Removed)

Initiate/request session

Response/successful session initiation

Authentication

Authentication response

Request

Response

Session termination

105

Fig. 1

Fig.1

(Dark Shading (Removed))

(Dark Shading Removed)

Initiate/request session

Response/successful session initiation

Requests/Responses

Session termination

210

205

Fig. 2

Fig. 2

Requests that reference objects:

`<search>` retrieve the attribute values for a set of objects that satisfy a filter

`<retrieve>` retrieve the attribute values for a specified resultset

`<delete>` delete the objects that satisfy a filter

`<modify>` change the attribute values for the objects that satisfy a filter

`<count>` count the number of the objects that satisfy a filter

`<create>` create a new object (in one substore) and expose it to the rest of the stores

`<expose>` expose an already created object to the rest of the stores

Administrative requests:

`<auth>` client turn in an authentication sequence

`<list/>` list server data of various kinds

`<help/>` return usage information

FIG. 3

Fig. 3

General Error Response:

`<error-response>`   return an error from the corresponding request

Responses to requests that reference objects:

`<search-response>`   return a resultset containing the attributes

`<retrieve-response>`   return a resultest containing the attributes

`<delete-response>`   return a resultset with the deleted object ids

`<modify-response>`   return a resultset for the modified objects

`<count-response/>`   return the number of objects that satisfied the filter

`<create-response>`   return a resultset with the new object

`<expose-response>`   return a resultset with the exposed objects

Administrative request responses:

`<auth-response>`   server response in an authentication protocol

`<list-response>`   server data that was requested

`<help-response>`   usage information

FIG. 4

Fig. 4